

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

UNITED STATES OF AMERICA,

v.

**Criminal No.: 1:23-CR-19
(Chief Judge Kleeh)**

**ROBERT DAVID SIMS, and
JOSHUA DAVID SINES,**

Defendants.

ORDER GRANTING UNITED STATES' MOTION FOR PROTECTIVE ORDER

On May 31, 2023, the United States moved the Court for a protective order in this case limiting disclosure of certain discovery material to the defendants. For good cause shown, the Court **GRANTS** the motion. To ensure the safety of inmate witnesses, the Court **ORDERS** that any discovery materials containing the memorialization of a statement of an inmate witness or any documentation concerning any inmate witness remain in the sole possession of the defendants' defense teams, and that no material or paperwork containing said statements shall be provided to the defendants or any other person. For the purpose of this Order, the defendants' defense teams includes counsel, paralegals, investigators, and expert consultants.

Further, for good cause shown, the Court **ORDERS** that discovery which contains documentation from inmates' central inmate files, medical records, photographs of the victim's injuries, and documents relating to the security and operation of BOP institutions remain in the sole possession of the defendants' defense teams, and that no material or paperwork containing said statements shall be provided to the defendants or any other person.

Further, this order shall apply to any later disclosed discovery material that falls in the categories described above. This prohibition extends to the use of indirect or alternative methods

of providing the documents to the defendants or introducing the materials into a penitentiary or any correctional or detention facility, such as through the use of the United States mail or third parties. The defendants' defense teams may review the above-described protected discovery with the defendants.

The Court notes and preserves any objections by the defendants. The defendants shall retain the right to file any motion they deem appropriate should any disputes arise as to any discovery protected by this order.

It is so **ORDERED**.

The Court directs the Clerk to transmit copies of this Order to counsel of record, the Office of Probation, and all appropriate agencies.

Dated: May 31, 2023



United States Magistrate Judge